

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

MARK CHRISTOPHER
WILLIAMS,

Plaintiff,

v.

Case No: 2:21-cv-116-SPC-MRM

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

OPINION AND ORDER¹

Before the Court is the Commissioner's Unopposed Motion for Entry of Judgment with Remand. ([Doc. 21](#)). The Commissioner believes that remand is appropriate to accomplish the following:

[T]he Commissioner will obtain supplemental evidence from a vocational expert to determine whether there are a significant number of jobs in the national economy that Plaintiff can perform, pose a complete hypothetical question to the vocational expert that includes all the Plaintiff's exertional and non-exertional limitations, identify and resolve any apparent conflicts between the vocational expert's testimony and information in the Dictionary of Occupational Titles, offer Plaintiff the opportunity for a new hearing, and take any other action deemed necessary.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

(Doc. 21 at 1). Plaintiff does not oppose the Motion.

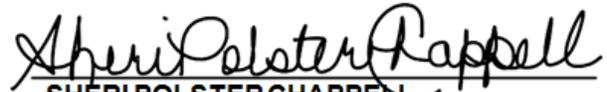
Under [42 U.S.C. § 405\(g\)](#), the Court has the power to enter judgment, reversing and remanding a social security case for rehearing. *See also Shalala v. Schaefer*, 509 U.S. 292, 296-98 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 101-02 (1991). Given the parties' representations and agreement on the matter, the Court grants the Motion, reverses, and remands for further proceedings. *See Morgan v. Astrue*, No. 2:11-cv-615-FtM-29SPC, 2012 WL 695840, at *1 (M.D. Fla. Mar. 1, 2012).

Accordingly, it is now

ORDERED:

- (1) The Commissioner's Unopposed Motion for Entry of Judgment with Remand ([Doc. 21](#)) is **GRANTED**.
- (2) The decision denying benefits is **REVERSED** and this case is **REMANDED** pursuant to sentence four of [42 U.S.C. § 405\(g\)](#) for further proceedings.
- (3) If Plaintiff prevails on remand, Plaintiff must comply with the Court's [November 14, 2012, standing order in Miscellaneous Case No. 6:12-mc-124-Orl-22](#).
- (4) The Clerk is **DIRECTED** to enter judgment, terminate all deadlines, deny all pending motions as moot, and close the file.

DONE and **ORDERED** in Fort Myers, Florida on November 2, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record